

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

This notice informs parents/guardians and eligible students (emancipated minors or those 18 or older) of their rights regarding the conduct of surveys, the collection and use of information for marketing purposes, and the conduct of certain physical exams. These rights are spelled out in the *Protection of Pupil Rights Amendment* (20 U.S.C. § 1232h; 34 CFR Part 98). The law and regulations require educational institutions, such as the District of Columbia Public Schools (DCPS) to notify parents and eligible students of their right to—

1. *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (USDE):
 - Political affiliations or beliefs of the student or student’s parent;
 - Mental or psychological problems of the student or student’s family;
 - Sexual behavior or attitudes;
 - Illegal, antisocial, self-incriminating, or demeaning behavior;
 - Critical appraisals of others with whom respondents have close family relationships;
 - Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - Religious practices, affiliations, or beliefs of the student or parents; and
 - Income, other than as required by law to determine program eligibility.
2. *Receive notice and an opportunity to opt a student out of—*
 - Any other protected information survey, regardless of funding;
 - Any nonemergency, invasive physical exam or screening required as a condition of attendance administered by the school or its agent and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under state law; and
 - Any activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
3. *Receive notice* of a parent’s right to inspect, upon request and before administration or usage of—
 - Protected information surveys of students and surveys created by a third party;
 - Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 - Instructional material used as part of the educational curriculum.

DCPS has developed and adopted policies regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. In addition, DCPS provides public access to its Survey Calendar, which notifies parents and eligible students, at the beginning of each school year and on a continuing basis, of the specific or approximate dates of the following activities (along with an opportunity to opt a student out of participating in the activity)—

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution;
- Administration of any protected information survey not funded in whole or in part by USDE; and
- Any nonemergency, invasive physical examination or screening as defined above.

The DCPS policies related to PPRA rights, as well as the Survey Calendar, can be accessed by visiting the following website: <http://dcps.dc.gov/page/conduct-research-or-obtain-confidential-data>. In addition, parents/guardians and eligible students may also contact their neighborhood school for DCPS policies related to PPRA rights and the Survey Calendar.

Parents/guardians and eligible students who believe their rights have been violated may file a complaint with the—

Family Policy Compliance Office
U.S. Department of Education
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Washington, DC 20202-4605